

**Most Reverend Jerome E. Listecki  
Bishop of La Crosse  
Legislative Testimony  
Assembly Bill 453  
October 21, 2009**

Thank you Representative Grigsby and the members of the committee for the opportunity to give testimony on Assembly Bill 453. I am Bishop Jerome Listecki of the Diocese of La Crosse and I urge that you not advance Assembly Bill 453.

I was ordained a priest for the Archdiocese of Chicago in 1975 and never would I ever have imagined that I would be publicly apologizing for the inappropriate, criminal and sinful actions of some of our clergy and religious in the area of child sexual abuse. It goes against the very nature of the priesthood, who we are, what we were taught and how we were formed. There isn't a bishop in the United States who doesn't feel the shame that this issue has generated. It is a horror that we can never erase and for which we will always atone. My voice is joined to the many who express their apologies and sorrow to the victims/survivors and their families.

This truly has been an education for all of us. The conscience of our whole society has been raised and now attuned to the issue of child sexual abuse. We as Wisconsin Catholic bishops are not opposed to laws protecting children from abuse. As you may recall, Wisconsin Catholic bishops fully supported the passage

of 2003 Wisconsin Act 279, which made clergy mandatory reporters of child sexual abuse, extended the statutes of limitations for victims/survivors, and clarified that victims/ survivors may in certain instances sue religious organizations for negligence.

We did so because it is the right thing to do. We have also internally scrutinized our own organizational structures. Believe me when I tell you that the protection of the young, whether in parishes, schools, youth groups, or religious education instruction is of primary concern. Nothing is taken for granted.

The United States Conference of Catholic Bishops (USCCB) adopted the *Charter for the Protection of Children and Young People* in 2002. This *Charter* has been the instrument that reflects the level of the commitment made to the faithful and society. Every Catholic bishop in the State of Wisconsin follows the standards issued in the *Charter*. All the dioceses in the state are subjected to an annual audit and all are in full compliance. Some of these standards require that:

- Every employee and volunteer in a Catholic parish, school, or other institution who interacts with minors must undergo a criminal background check.
- Every diocese must have an Office of Safe Environment Program that ensures that every employee and volunteer who interacts with children is

trained to recognize the signs of sexual abuse and to report any suspicions.

- Every diocese must comply with all applicable laws with respect to the reporting of allegations of sexual abuse of children to the appropriate District Attorney or governmental agency, and cooperate in any investigation in accord with applicable law. All dioceses must advise and support a person who exercises his or her right to make a report to public authorities.
- Every diocese must offer pastoral care to those hurt by the Church's ministers regardless of how long ago the abuse took place.

Tens of thousands of workers and volunteers have been educated and trained through the efforts of the *Charter*. Although I am embarrassed by the fact that sexual abuse has happened, I am proud of the response to the nature of the problem. In addition to overseeing these safety, reporting, and accountability measures throughout the dioceses, the USCCB's National Review Board for the Protection of Children and Young People (NRB) has commissioned, with the approval and support of the nation's bishops, two independent research studies to better understand the causes and effects of the abuse.

In 2004, the John Jay College of Criminal Justice completed the first of these studies, *The Nature and Scope of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States 1950-2002*. That study and its 2006 *Supplementary Report*—both of which have been made public—analyzed the number of allegations, the nature of the abuse, abusers, and victims, the Church's response to allegations of abuse and the financial consequences of the abuse.

Later this year, John Jay College will publish a second and more extensive study, *Causes and Contexts*, which will explore the historical context of the abuse, the seminary training during the historical period, the psychological profiles of the offenders, the responses of the Church, and the nature and consequences of victimization.

Once the *Causes and Contexts* report is released, the Catholic community and the general public will have a better understanding both of the clergy abuse crisis and of how best to help survivors heal and prevent sexual abuse in the first place.

The bishops of Wisconsin are fully committed to making public the nature and scope of past abuse. We report all new allegations to authorities and invite and assist complainants in the reporting of old allegations, whether time barred or not, to proper civil authorities.

However, we all realize that child sexual abuse by clergy only represents a small percentage of the problem. In respecting the seriousness of the child abuse problem we need to survey the entire landscape. A study similar to the John Jay report conducted by the State of Wisconsin for public institutions would assist all of us in Wisconsin to understand exactly the scope of the problem. This fair and common approach would permit legislators and the public to see how, where, and when sexual abuse of children occurred. This approach could also allow victims/survivors to be treated equally under the law, irrespective of where the abuse took place.

An additional problem that I have with this bill comes from my days as a law student. Statutes of limitations are established because they offer due process protection. It is difficult to remember one, five, or even ten years ago, much less to gather facts or witnesses from twenty, thirty, or even forty years ago. How do we confront a dead priest or a dead bishop to assess their response to an allegation or their knowledge of an incident? There is wisdom to statutes of limitations. The attempt to go back and construct memories, details, or impressions oftentimes leads to further injustices. Emotionally charged issues for everyone do not always allow reason to prevail.

The Catholic Church and its institutions have over the history of the development of our nation added to the common good. Our schools, with our

sisters and brothers, were among the first educating the masses. Our hospitals were among the first to minister to the underserved of our communities. Catholic Charities is the largest private social service organization in this nation.

The diocese of La Crosse plays but a small part of the total good. The Diocese of La Crosse is but one of the five dioceses in Wisconsin and it is only of moderate size (200,000).

In the 19 counties which comprise the Diocese of La Crosse, we support 74 schools and 7 high schools educating 9,000 of the over 62,000 Catholic school children in the State of Wisconsin at little or no taxpayer expense.

Our own Catholic Charities provide services such as adoptions, credit counseling, immigration, HIV/Aids assistance, food pantries, meal programs, clothing distribution centers, and relief to those suffering from both temporary and permanent loss of financial wherewithal. Our own local Catholic Charities was a first responder to the devastating floods in the Gays Mills area. Every one of the 165 parishes has personal charities and outreach to the needy in their local communities.

In addition, the Diocese of La Crosse also has supported and staffed a parish serving the poor in Santa Cruz, Bolivia, and an orphanage in an impoverished area outside of Lima, Peru.

Our Catholic institutions struggle every day to meet the challenges and demands of the less fortunate when many times government has failed to address its social responsibilities. This particular current economic crisis has hit all non-profits and we are no exception. Some of our services and staff have been cut back at Catholic Charities, and a number of our schools have closed. Adding the unprecedented financial risk and potential strain of this legislation would inevitably re-direct and consume already scarce and badly needed resources and services to the most vulnerable.

For non-profits such as ours, there is no protection through sovereign immunity as exists for the government; there is no passing on to consumers as in private business for unanticipated financial losses. This legislation, AB 453, targets the Church and non-profits. Inevitably it will punish those who had nothing to do with the despicable conduct described at this hearing and leave legions of innocent with nowhere to go.

It's difficult to be a leader and to bring various groups together for the common good. Your choice as legislators to serve the public trust demands all our gratitude. Before voting on Assembly Bill 453, please consider whether or not this is the best way to deal with a tragedy that knows no social or religious bounds.

Thank you for your attention.